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Sequence Number: \_\_\_\_\_  
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File Date: \_\_\_\_\_

## Notice of Rulemaking Hearing

*Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.*

<b>Agency/Board/Commission:</b>	Environment and Conservation
<b>Division:</b>	Water Resources
<b>Contact Person:</b>	Sherry Messick J. R. Fleming Environmental Training Center 2022 Blanton Drive
<b>Address:</b>	Murfreesboro, TN 37129
<b>Phone:</b>	(615) 898-8090
<b>Email:</b>	<a href="mailto:Sherry.Messick@tn.gov">Sherry.Messick@tn.gov</a>

*Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:*

<b>ADA Contact:</b>	ADA Coordinator 12 <sup>th</sup> Floor L&C Tower 401 Church Street
<b>Address:</b>	Nashville, Tennessee 37243
<b>Phone:</b>	1-866-253-5827 (toll free) or (615) 532-0200 Hearing impaired callers may use the TN Relay Service at 1-800-848-0298.
<b>Email:</b>	<a href="mailto:Beverly.Evans@tn.gov">Beverly.Evans@tn.gov</a>

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Auditorium J. R. Fleming Environmental Training Center
Address 2:	2022 Blanton Drive
City:	Murfreesboro, Tennessee
Zip:	37129
Hearing Date :	06/28/16
Hearing Time:	9:30 a.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

**Additional Hearing Information:**

The proposed changes to the Rules Governing Water and Wastewater Certification (Chapter 0400-49-01) clarify and simplify the rules. The amendments propose to eliminate the need for an applicant to have their signature notarized; to support giving examinations in written and electronic formats, and increase the renewal application fees.

An initial set of draft rules has been prepared for public review and comment. For more information, including the "DRAFT" rules and "redline" copy, please visit TDEC's website at <http://tn.gov/environment/topic/ppo-water>.

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Tennessee Department of Environment and Conservation, Water Resources Division; Attention: Ms. Sherry Messick, J. R. Fleming Environmental Training Center, 2022 Blanton Drive, Murfreesboro, TN 37129; telephone 615-898-8090 or fax 615-989-8064. However, such written comments must be received by

4:30 PM CDT, June 28, 2016, in order to assure consideration. For further information, please contact Ms. Sherry Messick at the above address or telephone number or by e-mail at [Sherry.Messick@tn.gov](mailto:Sherry.Messick@tn.gov).

**Revision Type (check all that apply):**

☒ Amendment  
☐ New  
☐ Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0400-49-01	Rules Governing Water and Wastewater Operator Certification
Rule Number	Rule Title
0400-49-01-.01	Application for Certificate
0400-49-01-.02	Examinations
0400-49-01-.03	Fees

Chapter 0400-49-01  
Rules Governing Water and Wastewater Operator Certification

Amendments

Part 1 of subparagraph (b) of paragraph (1) of Rule 0400-49-01-.01 Application for Certificate is amended by deleting it in its entirety and substituting instead the following:

1. A sworn application signed by the applicant.

Authority: T.C.A. §§ 68-221-901 et seq. and 4-5-201 et seq.

Part 1 of subparagraph (b) of paragraph (2) of Rule 0400-49-01-.01 Application for Certificate is amended by deleting it in its entirety and substituting instead the following:

1. A sworn application signed by the applicant.

Authority: T.C.A. §§ 68-221-901 et seq. and 4-5-201 et seq.

Paragraph (1) of Rule 0400-49-01-.02 Examinations is amended by deleting it in its entirety and substituting instead the following:

- (1) All examinations shall be taken in a manner provided by the Board, however, the Board may approve alternate examination methods if an applicant has a disability which would prevent him/her from taking the provided methods of examination. The Board may provide examinations in written or electronic formats.

Authority: T.C.A. §§ 68-221-901 et seq. and 4-5-201 et seq.

Subparagraph (a) of paragraph (1) of Rule 0400-49-01-.03 Fees is amended by deleting it in its entirety and substituting instead the following:

- (a) Fees for certification shall be required of each applicant and paid in advance as follows:
  1. Application fee for each operator examination or reciprocity request applied for..... \$100
  2. Discount annual renewal fee for each operator certificate:  
(Payment prior to February 1)..... \$50
  3. Standard annual renewal fee for each operator certificate:  
(Payment from February 1 through June 30.)..... \$100

Authority: T.C.A. §§ 68-221-901 et seq. and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: May 3, 2016

Signature: *Jennifer Dodd*

Name of Officer: Jennifer Dodd

Title of Officer: Deputy Director of the Division of Water Resources



Subscribed and sworn to before me on: May 3, 2016

Notary Public Signature: *Carol L. Grice*

My commission expires on: March 3, 2020

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Filed with the Department of State on: \_\_\_\_\_

\_\_\_\_\_  
Tre Hargett  
Secretary of State